

House Study Bill 247

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON LABOR BILL BY
CHAIRPERSON OLSON)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring additional workers' compensation payments for
2 scheduled injuries that result in a reduction in the injured
3 employee's earning capacity.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1884HC 83
6 av/rj/14

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1 1 Section 1. Section 85.34, subsection 2, Code 2009, is
1 2 amended by adding the following new paragraph:
1 3 NEW PARAGRAPH. w. If an employee sustains an injury
1 4 described in paragraphs "a" through "t" and is unable to
1 5 return to employment providing substantially similar earnings
1 6 to the earnings provided in the employment in which the
1 7 employee was engaged at the time of the injury, compensation
1 8 shall be paid during the number of weeks in relation to five
1 9 hundred weeks as the reduction in the employee's earning
1 10 capacity bears in relation to the earning capacity that the
1 11 employee possessed when the injury occurred. If the employee
1 12 is permanently and totally disabled as a result of such an
1 13 injury the employee may be entitled to benefits under
1 14 subsection 3.

EXPLANATION

1 15
1 16 This bill amends Code section 85.34 to provide that for
1 17 purposes of workers' compensation, an employee who sustains a
1 18 scheduled injury and is unable to return to employment
1 19 providing substantially similar earnings to that of the
1 20 preinjury employment earning capacity, shall be paid
1 21 compensation during the number of weeks in relation to 500
1 22 weeks as the reduction in the employee's earning capacity
1 23 caused by the disability bears in relation to the earning
1 24 capacity that the employee possessed when the injury occurred.
1 25 LSB 1884HC 83
1 26 av/rj/14